



032504

11696 U.S. PTO

Practitioner's Docket No. : MPI96-031CP1DV1CPACN2M

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

22857 U.S. PTO
 10/810793
 032504

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of
 Inventor(s): Zhijian J. Chen

For: KINASE CAPABLE OF SITE-SPECIFIC PHOSPHORYLATION OF IKB-A

1. Type of Application

This new application is for a

- ☐ Original (nonprovisional)
☐ Design
☐ Plant
☐ Divisional.
☒ Continuation.
☐ Continuation-in-part (C-I-P).

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

- ☐ with sufficient postage as first class mail.

- ☒ as "Express Mail Post Office to Addressee"
 Mailing Label No. EV420512027US

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Sean Hunziker

(type or print name of person certifying)

Date: March 26, 2004

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
 "Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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2. Benefit of Prior U.S. Application(s) (35 U.S.C. Sections 119(e), 120, or 121)

- ☒ The new application being transmitted is a continuation of U.S. Application Serial No. 10/052,005, filed January 17, 2002, which is a continuation of U.S. Application Serial No. 09/406,293, filed September 24, 1999, which is a divisional of U.S. Application Serial No. 08/825,559, filed March 19, 1997, now U.S. Pat. No. 6,107,073, which is a continuation-in-part of U.S. Application Serial No. 08/616,499, filed March 19, 1996.

3. Maintenance of Copendency of Prior Application

- A. ☐ Extension of time in prior application
- B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

☐ A conditional petition for extension of time is being filed in the pending **prior** application.

☐ A **copy** of the conditional petition filed in the prior application is attached.

4. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

Notification in Parent Application of This Filing

- ☐ A notification of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. Section 120.

5. Papers Enclosed

Required for Filing Date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application

120 Pages of Specification, including
117 Pages of Description
2 Pages of Claims
1 Page of Abstract

32 Sheet of Drawings (Figures 1, 2A-2E, 3A-3E, 4A-4B, 5A-5B, 6A-6B, 7A-7B, 8-9, 10A-10D, 11A-11D, 12, 13A-13D, 14A-14D, 15A-15B, 16A-16B, 17-18, 19A-19B, 20, 21A-21D, 22A-22B, 23-24)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO

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ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. Section 1.84(b).

- ☒ Formal
- ☐ Informal

6. Additional Papers Enclosed

- ☒ Transmittal of Information Disclosure Statement (2 pages)
- ☒ Information Disclosure Statement (37 C.F.R. Section 1.98) with Preliminary Statement (2 pages)
- ☒ Copies of Subt. Form PTO-1449 (6 pages) cited in Serial No. 09/460,293; copies of Notice of References cited in 09/460,293 (Forms PTO-892, parts of papers 7 and 12) (2 pages) and Notice of References Cited (Form PTO-892, part of Paper No. 11) (1 page) cited in Serial No. 08/825,559 and included in the filing of parent application Serial No. 10/052,005; copies of Substitute for Form 1449B/PTO (5 pages) cited in parent application 10/052,005; and copy of Form PTO/SB/08A (1 page) cited in parent application 10/052,005 (a total of 15 pages)
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ Submission of Sequence Listing (4 pages); paper copy of Sequence Listing (37 CFR Section 1.821-1.823), as filed in the parent application on November 21, 2003 (4 pages)
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☒ Copy of Declaration under 37 CFR §1.132 submitted on November 21, 2003 in parent application, 10/052,005, stating that the updated Sequence Listing including SEQ ID NO:9 introduces no new matter (2 pages)
- ☒ Other: Preliminary Amendment (7 pages)

7. Declaration or Oath (including power of attorney)

- ☒ Executed Declaration (2 pages), executed Power of Attorney from Assignee (1 page) and Revocation and Creation of Power of Attorney (2 pages) were originally filed in prior application 08/825,559; and executed Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney (2 pages) was filed in the parent application 10/052,005, copies of which are enclosed.
- ☐ Not Enclosed.

8. Assignment

- ☒ A copy of a recorded Assignment of the invention to ProScript, Inc.(recorded October 14, 1997, Reel 8751, Frame 0345 - 3 pages); a copy of a recorded Assignment of the invention from ProScript, Inc. to LeukoSite, Inc. (recorded September 13, 1999, Reel 010233, Frame 0437 - 4 pages); and a copy of a recorded Merger of LeukoSite, Inc. into Millennium Pharmaceuticals, Inc. (recorded April 23, 2001, Reel 011742, Frame 0508 - 5 pages), copies of which
 - ☒ are enclosed.
 - ☐ will follow.

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9. Fee Calculation (37 C.F.R. Section 1.16)

A. ☒ Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. Section 1.16(a) \$770.00
Total Claims (37 C.F.R. Section 1.16(c))	20	- 20 =	0	\$18.00	\$0.00
Independent Claims (37 C.F.R. Section 1.16(b))	3	- 3 =	0	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. Section 1.16(d))	0	\$290.00			\$0.00

Filing Fee Calculation \$770.00

- ☐ Amendment canceling extra claims is enclosed.
☐ Amendment deleting multiple-dependencies is enclosed.
☐ Fee for extra claims is not being paid at this time.

10. Method of Payment of Fees

- ☐ Check in the amount of \$ _____.
- ☒ Charge Account No. 501668 in the amount of \$770.00
A duplicate of this transmittal is attached.

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11. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 501668.

☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)

☐ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).

☐ 37 C.F.R. Section 1.17 (application processing fees)

☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

12. Instructions as to Overpayment

☒ Credit Account No. 501668.

☐ Refund

13. Correspondence Address

Direct all future correspondence to:

Customer Number 30405

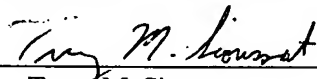
OR

Intellectual Property Department
MILLENNIUM PHARMACEUTICALS, INC.
40 Landsdowne Street
Cambridge, MA 02139

March 26, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By



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☒ Statement Where No Further Pages Added

☒ This transmittal ends with this page.